

CLOSED, ECF

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:13-cv-01126-ALC**

Katzberg v. Internal Revenue Service
Assigned to: Judge Andrew L. Carter, Jr
Cause: 05:552 Freedom of Information Act

Date Filed: 02/19/2013
Date Terminated: 07/31/2013
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Robert F. Katzberg**

represented by **Robert Katzberg**
Kaplan & Katzberg
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ATTORNEY TO BE NOTICED

V.

Defendant**Internal Revenue Service**

represented by **Michael J. Byars**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/19/2013	<u>1</u>	COMPLAINT against Internal Revenue Service. (Filing Fee \$ 350.00, Receipt Number 465401060339) Document filed by Robert F. Katzberg. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(jom) (Entered: 02/21/2013)
02/19/2013		SUMMONS ISSUED as to Internal Revenue Service. (jom) (Entered: 02/21/2013)
02/19/2013		Magistrate Judge James L. Cott is so designated. (jom) (Entered: 02/21/2013)
02/19/2013		Case Designated ECF. (jom) (Entered: 02/21/2013)
02/27/2013	<u>2</u>	AFFIDAVIT OF SERVICE. Internal Revenue Service served on 2/27/2013, answer due 3/20/2013. Service was accepted by J. Ricciardelli. Document filed by Robert F. Katzberg. (Schreiber, Mayo) (Entered: 02/27/2013)
02/27/2013	<u>3</u>	AFFIDAVIT OF SERVICE. Service was made by Mail. Document filed by Robert F. Katzberg. (Schreiber, Mayo) (Entered: 02/27/2013)
02/27/2013	<u>4</u>	AFFIDAVIT OF SERVICE. Service was made by Mail. Document filed by Robert F. Katzberg. (Schreiber, Mayo) (Entered: 02/27/2013)
03/13/2013	<u>5</u>	ORDER OF REFERENCE TO A MAGISTRATE JUDGE: Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement). Referred to Magistrate Judge James L. Cott. (Signed by Judge Andrew

		L. Carter, Jr on 3/13/2013) (js) (Entered: 03/14/2013)
03/18/2013	<u>6</u>	ORDER WITHDRAWING REFERENCE: The order referring the matter to the Magistrate Judge is withdrawn. So Ordered (Signed by Judge Andrew L. Carter, Jr on 3/18/2013) (js) (Entered: 03/18/2013)
03/18/2013	<u>7</u>	ORDER: An initial conference will be held in this case at 11:00 a.m. on April 11, 2013 before United States District Judge, Andrew L. Carter, Jr., in Courtroom 1306, located on the 13TH floor at 40 Foley Square, New York, New York. Counsel (or all parties must be present and report to the Courtroom upon arrival to the courthouse. (Initial Conference set for 4/11/2013 at 11:00 AM before Judge Andrew L. Carter Jr.) (Signed by Judge Andrew L. Carter, Jr on 3/18/2013) (js) (Entered: 03/18/2013)
03/19/2013	<u>8</u>	NOTICE OF APPEARANCE by Michael J. Byars on behalf of Internal Revenue Service (Byars, Michael) (Entered: 03/19/2013)
03/26/2013		***DELETED DOCUMENT. Deleted document number <u>9</u> ENDORSED LETTER. The document was incorrectly filed in this case. (djc) (Entered: 03/26/2013)
03/26/2013	<u>9</u>	ENDORSED LETTER: addressed to Magistrate Judge James L. Cott from Michael J. Byars dated 3/19/2013 re: Counsel fro defendant requests that the date for its response to the complaint be extended by sixty (60) days from March 29 to May 28, 2013. ENDORSEMENT: The extension until May 28, 2013 to respond to the complaint is GRANTED. The initial conference set for April 15, 2013 at 10:00 a.m. is adjourned until May 30, 2013 at 10:00 a.m. So Ordered. (Signed by Judge Andrew L. Carter, Jr on 3/26/2013) (js) (Entered: 03/27/2013)
05/28/2013	<u>10</u>	ANSWER to <u>1</u> Complaint. Document filed by Internal Revenue Service.(Byars, Michael) (Entered: 05/28/2013)
05/30/2013		Minute Entry for proceedings held before Judge Andrew L. Carter, Jr: Initial Conference held on 5/30/2013. Robert Katzberg, Pro Se Plaintiff. Michael J. Byars for Defendant(s). Pro Se Plaintiff expresses satisfaction with some information provided by the Defendant. Telephone Status Conference set for 7/19/2013 at 10:00 a.m. (tdh) (Entered: 06/26/2013)
06/13/2013	<u>11</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 5/30/2013 before Judge Andrew L. Carter, Jr.. Court Reporter/Transcriber: Denise Richards, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/11/2013. Redacted Transcript Deadline set for 7/18/2013. Release of Transcript Restriction set for 9/16/2013.(Rodriguez, Somari) (Entered: 06/13/2013)
06/13/2013	<u>12</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 5/30/13 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 06/13/2013)
07/02/2013	<u>13</u>	ENDORSED LETTER: addressed to Judge Andrew L. Carter Jr. from Michael J. Byars dated 6/27/2013 re: Counsel for defendant respectfully requests that the date for the Government's opening brief be extended by four weeks i.e. until July 31, 2013. ENDORSEMENT: Defendant's request for an extension to file its opening brief until July 31, 2013 is GRANTED. The telephone status conference set for July 19, 2013 is adjourned to August 15, 2013 at 10:00 a.m. So Ordered., (Brief due by 7/31/2013.) (Telephone Conference set for 8/15/2013 at 10:00 AM before Judge Andrew L. Carter Jr.) (Signed by Judge Andrew L. Carter, Jr on 7/2/2013) (js) (Entered: 07/02/2013)
07/31/2013	<u>14</u>	STIPULATION OF SETTLEMENT AND DISMISSAL: IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of

		record for the parties to the above entitled action, that Plaintiff's claims are dismissed pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure; and IT IS HEREBY FURTHER STIPULATED AND AGREED that this dismissal is without search fees, costs, attorneys' fees or conferral of prevailing party status pursuant to the Freedom of Information Act, 5 U.S.C. 552, or any other federal statute. The parties understand and agree that this stipulation contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect. SO ORDERED. (Signed by Judge Andrew L. Carter, Jr on 7/31/2013) (rsh) (Entered: 07/31/2013)
07/31/2013		Terminate Transcript Deadlines (rsh) (Entered: 07/31/2013)